

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 4, 1997 LB 15, 56, 128

CLERK: (Read record vote. See pages 853-54 of the Legislative Journal.) 34 ayes, 0 nays, 2 present and not voting, 13 excused and not voting.

PRESIDENT ROBAK: LB 15 passes. LB 56E.

CLERK: (Read LB 56E on Final Reading.)

PRESIDENT ROBAK: All provisions of law relative to procedure having been complied with, the question is, shall LB 56 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Please record.

CLERK: (Read record vote. See pages 854-55 of the Legislative Journal.) 36 ayes, 0 nays, 2 present and not voting, 11 excused and not voting.

PRESIDENT ROBAK: LB 56 passes with the emergency clause attached. LB 128.

CLERK: Senator Landis would move to return the bill for a specific amendment. (See AM0512 found on page 768 of the Legislative Journal.)

PRESIDENT ROBAK: The Chair recognizes Senator Landis to open on the motion.

SENATOR LANDIS: Thank you, Madam President, members of the Legislature. You'll remember this as a bill on work comp, and the court suggested in the use of the independent medical examiner that we delete a provision which they said has been very rarely used and probably inhibits the use of the independent medical examiner. That provision says that if the two parties who are contesting the workers' comp situation agree to the identity of the independent medical examiner, then that IME's ruling is presumed to be correct, that they are bound to accept it, and they can't challenge it. Because it is sort of a winner take all mentality, parties are reluctant to agree. Because they are reluctant to agree, they go to the court and then the court assigns an IME, which delays the cases. This provision has been used in less than 2 percent of the cases, in